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OF COUNSEL

February 23, 1990

Superfund Records Center

SITE: Coakley

BREAK: 119

OTHER: 559314

For Inclusion In The
Administrative Record For
The Coakley Landfill

Timothy E. Williamson,
Assistant Regional Counsel
U.S. Environmental Protection Agency
J.F.K. Federal Building
Boston, Massachusetts 02203-2211

Re: Coakley Landfill: Additional PRP's for Formal
Notice

Dear Mr. Williamson:

I am in receipt of the U.S. EPA's February 2, 1990 Notice of Potential Liability letter which was issued to the City of Portsmouth, New Hampshire. The City of Portsmouth believes that the list of PRP's attached to that letter does not accurately reflect those entities which should be designated under CERCLA as having responsibility for conditions at the Coakley Landfill site.

Attachment B to the EPA's 2/2/90 letter lists the potentially responsible parties (PRP's) to which the EPA has issued its 2/2/90 notice letter. This list contains certain businesses which engage in automobile sales and service, sale of automobile parts, dry cleaning service, oil sales, transportation service and various other businesses which generate waste materials such as paints, heavy metals and solvents. However, it does not present a complete list of those type of businesses which sent waste to Coakley.

We have researched these various types of businesses for the time period involved in this matter and have identified a list of additional PRP's which should be included as having potential liability to the U.S. EPA. These listed businesses were active during the time in which the Coakley Landfill was in use, and are still in business today. Attached hereto is a list of businesses which we request be added to the list presented in Attachment B of EPA's 2/2/90 letter.

Automobile Repair & Service Businesses

Below is a list of additional businesses which engaged and continue to engage in the sale of automobiles and automobile parts and service and repair of automobiles, and the repair and/or service of other vehicles, which generate waste oils, solvents, paint related material and scrap automobile parts. These businesses should be included by EPA since they were in business in the communities which used the Coakley Landfill during all or a portion of the years of operation of the Coakley Landfill. Thus, waste generated by them was disposed of at the landfill. The nature of these businesses is such that their wastes must have included hazardous wastes.

1. Alco Transmissions;
2. Baker-Wright;
3. Coast Pontiac-Cadillac;
4. Coastal Truck and Auto Body, Inc.;
5. Elwyn Park Exxon;
6. Fred L. Wiggin, Inc.;
7. Goss Lincoln-Mercury;
8. Hampton Airfield, Inc.;
9. Hanley's Auto Sales;
10. Hanscom's Truck Stop, Inc.;
11. Joe's Mobil Service;
12. K-Mart Corporation;
13. Lafayette Road Direct (formerly Lafayette Road Amoco)
14. Lafayette 66;

15. Mel's Truck Sales;
16. Middle Street Texaco;
17. Mitchell's Exxon;
18. Mobil Oil Corp.;
19. National Guard Armory;
20. Newington Exxon;
21. North Hampton Service Station;
22. Pacesetter Speed Shop;
23. Parts Plus Automotive Service Center;
24. Peverly Hill Garage;
25. Portsmouth Dodge-Chrysler-Plymouth
26. Portsmouth Radiator Company;
27. Robbins Auto Parts;
28. State Street Exxon;
29. T. C. Auto Body;
30. The Tire Loft;
31. Tire Warehouse;
32. U.S. Army Reserve;
33. U.S. Coast Guard;
34. Welch Auto Electric;
35. Wells Garage;
36. Woodbury Shell.

Fuel/Oil Businesses

Below is a list of the businesses which engaged and continue to engage in the sale of fuel, oil burners and oil burning equipment which would dispose of waste oils and solvents. These businesses should be included by EPA since they were in business in the communities which used the Coakley Landfill during all or a portion of the years of operation of the Coakley Landfill. Thus, waste generated by

them was disposed of at the landfill. The nature of these businesses is such that their wastes must have included hazardous wastes.

1. Coleman Oil Company;
2. Goodwin Oil Company;
3. Northeast Petroleum Corp. of New Hampshire;
4. U.S. Fuel Defense Support Facility;
5. Washburn's Heating & Plumbing;
6. Weather Watch.

Paving Companies

Below is a list of the paving companies which provided and continue to provide paving services and which would dispose of waste oils and solvents. These businesses should be included by EPA since they were in business in the communities which used the Coakley Landfill during all or a portion of the years of operation of the Coakley Landfill. Thus, waste generated by them was disposed of at the landfill. The nature of these businesses is such that their wastes must have included hazardous wastes.

1. Badger-Rand Company;
2. Durell Paving;
3. Mikol Brothers Construction Company.

Cleaning Companies

Below is a list of the cleaning companies which provided and continue to provide cleaning services and which would dispose of waste solvents and cleaning fluids. These businesses should be included by EPA since they were in business in the communities which used the Coakley Landfill during all or a portion of the years of operation of the Coakley Landfill. Thus, waste generated by them was disposed of at the landfill. The nature of these businesses is such that their wastes must have included hazardous wastes.

1. Coastal Cleaners;
2. Colonial Services.

Printing Companies

Below is a list of the printing companies which provided and continue to provide printing services and which would dispose of waste inks and solvents. These businesses should be included by EPA since they were in business in the communities which used the Coakley Landfill during all or a portion of the years of operation of the Coakley Landfill. Thus, waste generated by them was disposed of at the landfill. The nature of these businesses is such that their wastes must have included hazardous wastes.

1. Copyrite & Blaisdel Printing;
2. Jiffy Copy Center;
3. Martin Printing, Inc.;
4. Manley Offset;
5. Randall Press, Inc.;
6. Strawberry Bank Print Shop;
7. Winebaum News, Inc.

Paint Companies

Below is a list of the paint companies which provided and continue to provide paint sales and service and which would dispose of waste solvents and heavy metals. These businesses should be included by EPA since they were in business in the communities which used the Coakley Landfill during all or a portion of the years of operation of the Coakley Landfill. Thus, waste generated by them was disposed of at the landfill. The nature of these businesses is such that their wastes must have included hazardous wastes.

1. A & M Paint & Wallpaper;
2. D & R Painting Contractors;
3. F. A. Gray, Inc.
4. Northeast Cutting & Die Corp.;
5. Sherwin Williams Company.

Transport & Trucking Companies

Below is a list of the transporting and trucking companies which provided and may continue to provide transportation and trucking services and which would dispose of waste materials. These businesses should be included by EPA since they were in business in the communities which used the Coakley Landfill during all or a portion of the years of operation of the Coakley Landfill. Thus, waste generated by them was disposed of at the landfill. The nature of these businesses is such that their wastes must have included hazardous wastes.

1. Arbo Transportation Company;
2. Badger-Rand Company;
3. Alfred J. Keefe;
4. Leavitt Rubbish;
5. Vitas Normantas;
6. Wood Brothers Moving & Storage;
7. R. G. Young & Son.

C. H. Sprague & Sons
Total Waste Management, Inc.

Both C. H. Sprague & Sons and Total Waste Management have filed hazardous waste manifests with the State of New Hampshire. We believe that they are generators of waste oils which in all probability were disposed of at the Coakley landfill sometime during its operation. As you know, Sprague was identified as a PRP at the KES site in Epping, New Hampshire. Prior to KES operation, it is likely that all or part of those materials went to the Coakley Landfill. Therefore, we request that both C. H. Sprague & Sons and Total Waste Management be issued the EPA's notice of potential liability letter.

Town of New Castle

I note that the Town of New Castle, New Hampshire was not included in the list of entities receiving EPA's formal notice letter. The Town of New Castle, like the Towns of Newington and North Hampton and the City of Portsmouth, entered into contracts for the use of the Coakley Landfill as a depository for its municipal solid waste. I have attached a copy of the January 26, 1981 "Agreement" between the Town of New Castle and City of Portsmouth for your reference. The

Town of New Castle was under the same obligations and regulations as the above-mentioned municipalities. In its letter to the City of Portsmouth, the EPA identified it as an operator of the landfill. As you know, the City's position is that the City and the other municipalities and Pease Air Force Base who entered into contracts with the Coakley Landfill were not "operators" of the landfill within the meaning of CERCLA. However, if EPA is going to pursue that position, it must be consistent and consider all municipalities which arranged for their municipal solid waste to go to the site and which agreed to pay a share of administrative costs of the accountings required by the contracts as PRP's. The City believes that no distinction can be made between the Town of New Castle and the other municipalities, and that the Town of New Castle should be issued the EPA's notice of potential liability letter.

State of New Hampshire

The State of New Hampshire was also excluded from the list of PRP's by EPA. The State maintains highway equipment facilities in Portsmouth and North Hampton which undoubtedly used the Coakley Landfill for the disposal of waste materials which must have included hazardous wastes. As you may know, Jet-Line Services, Inc. disposed of oil which was collected during its cleanup of the spill of the vessel "New Concord" in 1979. Disposal of this material was accomplished at the direction of the State of New Hampshire. Attached are copies of memoranda from the State of New Hampshire which reference the disposal of the oil spill debris. In addition, R. G. Young & Son was hired by New Concord Shipping to cut and gather oil soaked eelgrass and seaweed. Young was directed to transport these materials to the Coakley Landfill. Of course you recognize that the State was actively involved in the determination of the suitability of the site as a landfill and in the inspection and authorization of the landfill operation.

The State of New Hampshire also granted permission to the Portsmouth Naval Shipyard to dispose of spent sandblast grit, spent fluorescent bulbs and cured epoxy paint at a landfill in New Hampshire (see attached copy of 4/13/81 letter to the Shipyard from the State of New Hampshire). The spent materials were disposed of at the Coakley Landfill from October 1981 to December 1981.

The attached list of PRP's contains the names and addresses of the businesses we are requesting be added to EPA's Attachment B, together with reasons for inclusion. I respectfully request on behalf of the City of Portsmouth that

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the U.S. EPA review this list and issue notice of potential liability letters to each company which appears on the list.

Very truly yours,

A handwritten signature in cursive script, appearing to read "E. Tupper Kinder".

E. Tupper Kinder

ETK/ca
Enclosure

cc: Robert P. Sullivan, Esquire
Mr. Calvin Canney
Kevin C. Devine, Esquire
Mark E. Beliveau, Esquire
John L. Ahlgren, Esquire
Robert J. Gallo, Esquire

COAKLEY LANDFILL

List of PRP's to Request EPA to Send Notice Letters to

<u>NAME</u>	<u>REASON</u>
1. A & M PAINT & WALLPAPER 46 Market St. Portsmouth, NH 03801	Retail paint company. 1979-80 NH Register. Generator of waste solvents, heavy metals.
2. ALCO TRANSMISSIONS Myrtle St. Portsmouth, NH 03801	Auto repair/service 1979-80. NH Register. Generator of waste oils, solvents. Great Bay Disposal Customer.
3. ARBO TRANSPORTATION CO. Albany St. Ext. Portsmouth, NH 03801	Trucking/transportation co. 1979-80 NH Register.
4. BADGER-RAND CO. 1 Cate St. Portsmouth, NH 03801	Paving contractor trucking/transportation company 1979-80 NH Register. Generator of waste oils, solvents.
5. BAKER-WRIGHT 202 Court St. Portsmouth, NH 03801	Auto repair/service. Battery repair/service 1979-80 NH Register. Generator of waste oils, solvents.
6. C.H. SPRAGUE & SONS 1 Parade Mall Portsmouth, NH 03801	Filed manifests with State of New Hampshire. Generator of waste oil.
7. COAST PONTIAC-CADILLAC Route 1 Bypass P.O. Box 570 Portsmouth, NH 03801	Automobile dealership. Filed manifests with State of NH. Generator of waste oil, solvents.
8. COASTAL CLEANERS 544 Islington St. Portsmouth, NH 03801	Cleaner/dyer. 1975-76 NH Register. Generator of waste solvents, cleaning fluids.
9. COASTAL TRUCK AND AUTO BODY, INC. 8 Lafayette Rd. North Hampton, NH 03862	Filed manifests with State of NH. Generator of waste oil solvents, paints.
10. COLEMAN OIL CO. Nobles Island P.O. Box 4116 Portsmouth, NH 03801	Tire dealer/repairer, wholesaler of oils & lubricants, fuel dealer. 1975-76 NH Register. 1979-80 NH Register. Generator of waste oils, solvents. Customer of Great Bay Disposal. Appeared in probable "log book" at #2530.

11. **COLONIAL SERVICES (Cleaners)** Filed manifests with State of
138 Bartlett St. NH. 1979-80 NH Register.
Portsmouth, NH 03801 Generator of waste solvents,
liquids.
12. **COPYRITE & BLAISDEL PRINTING** Generator of waste inks and
865 Islington St. solvents.
Portsmouth, NH 03801
13. **D & R PAINTING CONTRACTORS** Painting company.
Newington Rd. 1975-76 NH Register.
Greenland, NH Generator of heavy metals,
(formerly 25 Clover Lane, waste solvents.
Portsmouth)
14. **DURELL PAVING** Paving company. Generator of
508 Sixth St. waste oils, solvents. Appeared
Dover, NH 03820 in probable "log book" at
#2880.
15. **ELWYN PARK EXXON** Tire dealer/repairer.
Lafayette Rd. 1979-80 NH Register.
Portsmouth, NH Generator of waste oils,
solvents.
16. **GOODWIN OIL CO.** Fuel dealer.
157 Deer St. 1979-80 NH Register.
Portsmouth, NH 03801 Generator of waste oils,
solvents. Seacoast Trucking
customer.
17. **F.A. GRAY, INC.** Disposed of empty paint cans
30-32 Daniel St. at the landfill. Appeared in
Portsmouth, NH 03801 probable "log book" at #'s
2393, 2714, 2760.
18. **FRED L. WIGGIN, INC.** Disposed of tires at landfill.
Route 1 Bypass Appeared in probable "log
Portsmouth, NH 03801 book" at #'s 74, 1273, 2505.
19. **GOSS LINCOLN MERCURY** Automobile dealership
2355 Lafayette Rd. Generator of waste oil,
P.O. Box 5007 solvents.
Portsmouth, NH 03801
20. **HAMPTON AIRFIELD, INC.** Sale of gasoline and possible
114 Lafayette Rd., Route 1 aircraft maintenance, gener-
North Hampton, NH 03862 ator of waste solvents and
oils.

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| 21. | HANLEY'S AUTO SALES
226 Cate St.
Portsmouth, NH 03801 | Automobile dealer.
1979-80 NH Register.
Generator of waste oils,
solvents. |
| 22. | HANSCOM'S TRUCK STOP, INC.
500 Maplewood Ave.
Route 1 Bypass
Portsmouth, NH 03801 | Gas station/truck stop.
Generator of waste oils,
solvents. Appeared in pro-
bable "log book" at #'s 1762,
1941, 2217 & 2380 |
| 23. | JIFFY COPY CENTER
149 Congress St.
Portsmouth, NH 03801 | Printing company.
1979-80 NH Register.
Generator of waste inks,
solvents. |
| 24. | JOE'S MOBIL SERVICE
605 Islington St.
Portsmouth, NH 03801 | Automobile service station.
Generator of waste oil, scrap
metal & auto parts. |
| 25. | K-MART CORPORATION
1465 Woodbury Ave.
Portsmouth, NH 03801 | Auto service center.
1979-80 NH Register.
Generator of waste oils,
solvents. |
| 26. | ALFRED J. KEEFE | Owned private trash business,
1970-78. |
| 27. | LAFAYETTE RD. DIRECT
(formerly Lafayette Rd.
Amoco)
Lafayette Rd.
Portsmouth, NH 03801 | Auto repair/service.
1979-80 NH Register.
Generator of waste oils,
solvents. |
| 28. | LAFAYETTE 66
766 Lafayette Rd.
Portsmouth, NH 03801 | Auto repair/service.
1979-80 NH Register.
Generator of waste oils,
solvents. |
| 29. | LEAVITT RUBBISH
96 Atlantic Ave.
North Hampton, NH 03862 | Collected household rubbish
and rubbish from one pharmacy. |
| 30. | MARTIN PRINTING, INC.
308 Morse St.
Hamden, CT 06517 | Generator of waste ink and
waste solvents. |
| 31. | MANLEY OFFSET
Industrial Park
Dover, NH 03820 | Generator of waste solvents.
See New Hampshire Industrial
Waste Survey.
Customer of Great Bay
Disposal. |

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| 32. | MEL'S TRUCK SALES
8 Lafayette Rd.
North Hampton, NH 03862 | Automobile sales/service.
Generator of waste oil,
solvents. |
| 33. | MIDDLE STREET TEXACO
40 Middle Rd.
Portsmouth, NH 03801 | Battery dealer/service.
1979-80 NH Register.
Generator of waste oils,
solvents, batteries. |
| 34. | MIKOL BROTHERS CONSTRUCTION
200 Market St.
Portsmouth, NH 03801 | Paving contractor.
1979-80 NH Register.
Generator of waste oils,
solvents. Appeared in pro-
bable "log book" at #'s
1928, 1932, 1964, 2151 &
2400. |
| 35. | MITCHELL'S EXXON
97 Gosling Rd.
Newington, NH 03801
(formerly Mitchell's,
1976 Woodbury Ave.) | Auto repair/service.
1979-80 NH Register.
Generator of waste oils,
solvents. |
| 36. | MOBIL OIL CORP. -
PORTSMOUTH TERMINAL
Environmental Affairs Dept.
P.O. Box 1031
Princeton, NJ 08540 | Filed manifests with State of
NH. Generator of waste oil,
solvents. Owner of Montgomery
Ward & Company. |
| 37. | NATIONAL GUARD ARMORY
McGee Drive
Portsmouth, NH 03801 | Truck service.
Generator of waste solvents
and oils.
Customer of Great Bay
Disposal. |
| 38. | NEWINGTON EXXON
Spaulding Turnpike
Newington, NH 03801 | Gasoline sales/automotive
service.
Generator of waste oil,
solvents. |
| 39. | NORTHEAST CUTTING DIE CORP.
865 Islington St.
Portsmouth, NH 03801 | Filed manifests with State of
NH.
Generator of waste solvents. |
| 40. | NORTHEAST PETROLEUM CORP.
OF NEW HAMPSHIRE
Preble Way
Portsmouth, NH 03801 | Wholesale petroleum product
distributor.
Generator of waste oil. |
| 41. | NORTH HAMPTON SERVICE
STATION
Lafayette Rd.
North Hampton, NH 03862 | Gasoline sales/automotive
service.
Generator of waste oil,
solvents. |

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| 42. | PACESETTER SPEED SHOP
1 Cate St.
Portsmouth, NH 03801 | Automobile dealer.
1979-80 NH Register.
Generator of waste oils,
solvents. |
| 43. | PARTS PLUS AUTOMOTIVE
SERVICE CENTER
202 Islington St.
Portsmouth, NH 03801 | Automotive service center.
Filed manifests with the State
of NH.
Generator of waste oil,
solvents. |
| 44. | PEVERLY HILL GARAGE
18 Peverly Hill Rd.
Portsmouth, NH 03801 | Auto dealer.
1979-80 NH Register.
Generator of waste oils,
solvents. |
| 45. | PORTSMOUTH DODGE-CHRYSLER-
PLYMOUTH
Rte 1 Bypass
Portsmouth, NH 03801 | Automobile dealer.
1979-80 NH Register.
Generator of waste oils,
solvents. |
| 46. | PORTSMOUTH RADIATOR CO.
855 Islington St.
Portsmouth, NH 03801
(now 7 Mirona St.) | Auto repair & service.
1979-80 NH Register.
Generator of waste oils,
solvents.
Seacoast Trucking customer. |
| 47. | RANDALL PRESS, INC.
544 Islington St.
Portsmouth, NH 03801 | Printing company.
1979-80 NH Register.
Generator of waste inks,
solvents. |
| 48. | ROBBIN'S AUTO PARTS
67 Islington St.
Portsmouth, NH 03801 | Tire dealer/repairer.
1979-80 NH Register.
Generator of waste tires. |
| 49. | SHERWIN WILLIAMS CO.
800 Islington St.
Portsmouth, NH 03801 | Generator of waste paint.
Customer of Great Bay
Disposal. |
| 50. | STATE OF NEW HAMPSHIRE
Hazen Drive
Concord, NH 03301 | Approved disposal of oil
debris at landfill.
Seacoast Trucking customer. |
| 51. | STATE STREET EXXON
State St.
Portsmouth, NH 03801 | Gasoline sales/automotive
service.
Generator of waste oil,
solvents. |
| 52. | STRAWBERRY BANK PRINT SHOP
753 Portsmouth Ave.
Greenland, NH
(formerly at 63 Market
St., Portsmouth) | Printing company.
1979-80 NH Register.
Generator of waste inks,
solvents. |

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| 53. T.C. AUTO BODY
60 Lafayette Rd.
North Hampton, NH 03862 | Automobile service.
Generator of waste oil,
solvents. |
| 54. THE TIRE LOFT
43 Cornwall St.
Portsmouth, NH 03801 | Disposal of tires at site.
Generator of waste solvents.
Great Bay Disposal customer.
Appeared in probable "log
book" at #3080. |
| 55. TIRE WAREHOUSE
Longmeadow Rd., Rte 1
Portsmouth, NH 03801 | Tire dealer/repairer.
1979-80 NH Register.
Generator of waste tires. |
| 56. TOTAL WASTE MANAGEMENT
142 River Rd.
Newington, NH 03801 | Filed manifests with State of
NH.
Generator of waste oils. |
| 57. TOWN OF NEW CASTLE, NH
Selectmen's Office
Main St.
New Castle, NH 03854 | Entered into contracts for use
of Coakley Landfill.
Generator of municipal solid
waste. |
| 58. TUFF-KOTE DINOL
653 Islington St.
Portsmouth, NH 03801 | Filed manifests with State of
NH.
Generator of waste solvents.
Seacoast Trucking customer. |
| 59. U.S. ARMY RESERVE
125 Cottage St.
Portsmouth, NH 03801 | Vehicle maintenance.
Generator of waste oil and
solvents.
Seacoast Trucking customer. |
| 60. U.S. COAST GUARD | Ship maintenance.
Generator of waste solvents
and oils. |
| 61. U.S. FUEL DEFENSE SUPPORT
FACILITY
Patterson Lane
Newington, NH 03801 | Filed manifests with State of
NH.
Generator of waste solvents,
oils. |
| 62. VITAS NORMANTAS
171 State St.
Portland, ME 04101 | Waste reduction facility.
Disposed of raw household
waste or ash at the landfill. |
| 63. WASHBURN'S HEATING & PLUMBING
459 Islington St.
Portsmouth, NH 03801 | Oil burner & oil burning
equipment company.
1979-80 NH Register.
Generator of waste oils,
solvents. Appeared in pro-
bable "log book" at #'s 300
& 1939. |

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| 64. WEATHER WATCH
225 Greenleaf St.
Portsmouth, NH 03801 | Oil burner & oil burning
equipment company.
1979-80 NH Register.
Generator of waste oils,
solvents.
Seacoast Trucking customer.
Appeared in probable "log
book" at #2129. |
| 65. WELCH AUTO ELECTRIC
28 Sumner Dr.
Dover, NH 03820
(formerly Islington St.,
Portsmouth, NH) | Auto dealer.
1979-80 NH Register.
Generator of waste oils,
solvents. |
| 66. WELLS GARAGE
70 Walnut Ave.
North Hampton, NH 03862 | Automobile service
Generator of waste oils,
solvents. |
| 67. WINEBAUM NEWS, INC.
145 Heritage Ave.
Portsmouth, NH 03801 | Filed manifests with State of
NH.
1979-80 NH Register.
Generator of waste inks,
solvents. |
| 68. WOOD BROTHERS MOVING &
STORAGE
3607 Lafayette Rd.
Portsmouth, NH 03801 | Trucking/transportation
company.
1979-80 NH Register
Appeared in probable "log
book" at #'s 1416, 2866 &
2940. |
| 69. WOODBURY SHELL
(now Woodbury Mobil)
1980 Woodbury Ave.
Portsmouth, NH 03801 | Auto repair/service
1979-80 NH Register
Generator of waste oils,
solvents.
Great Bay Disposal customer. |
| 70. R. G. YOUNG & SON
72 Nimble Hill Rd.
Newington, NH 03801 | Transported oil soaked debris
(eelgrass and seaweed) and
paper refuse to landfill. |

AGREEMENT

This Agreement made this 26th day of January 1981 between the City of Portsmouth, New Hampshire (hereinafter "City") and the Town of NEW CASTLE, New Hampshire (hereinafter "Town").

W I T N E S S E T H:

WHEREAS: The City has entered an agreement with the Town of North Hampton and Coakley Landfill, Inc. dated JANUARY 16, 1981 (hereinafter "Master Contract") for operation of a sanitary landfill in said Town of North Hampton on land owned by said corporation (hereinafter "Landfill") and

WHEREAS: The Town desires to make use of the Landfill;
NOW THEREFORE:

For and in consideration of the mutual promises herein contained, the parties hereto agree as follows:

1. The Town agrees to abide by the terms and conditions of the Master Contract;
2. The term of this Agreement shall be eighteen (18) months beginning on January 3, 1981 and ending on July 2, 1982, unless the Master Contract is terminated prior to July 2, 1982 in which case the obligations of the parties under this agreement shall be terminated on the date of termination of the Master Contract;
3. The Landfill shall be used as a depository for solid waste, with the exception of solid waste from demolished buildings, junked automobiles, machinery, tree stumps of a size that cannot be effectively cut up by "wood chipper equipment", and all waste classified as hazardous by the State of New Hampshire or the United States Government;

4. The Town shall be responsible to contract for commercial carriers as may be necessary to deliver its solid waste and to ensure that material delivered by such carriers has been collected within its municipal boundaries;

5. The Town shall register with the City, all municipal and commercial carriers engaged in the transporting and delivery of solid waste to the Landfill;

6. The Town shall require all carriers delivering the material collected within its municipal boundaries to display a decal for identification to be obtained from the Town;

7. All bills for services to the Town's carriers shall be sent by the City directly to the Town, which shall be responsible for said bills;

8. The Landfill operation shall be open at the times set forth in the Master Contract;

9. The Town shall pay the City for solid waste delivered to the Landfill at the rate of \$11.14 per ton;

10. The Town shall pay the City at the established rate for a minimum of 1275 tons of solid waste during the term of this Agreement, whether or not such minimum tonnage is actually delivered to the Landfill;

11. The City shall bill the Town monthly for an amount based on one-eighteenth (1/18th) of the agreed minimum tonnage. In addition, the City shall bill the Town monthly for tonnage delivered in excess of said minimum monthly figure; provided that such excess tonnages shall be credited to any previous monthly tonnages below said minimum monthly figure;

12. The Town shall be responsible for a share of any other costs to be assessed to users of the Landfill under the terms of the Master Contract, which share shall in proportion be the Town's share of the total tonnage delivered to the Landfill during the term of this Agreement.

13. The Town shall pay amounts owed to the C within
forty-five (45) days after billing.

CITY OF PORTSMOUTH, NEW HAMPSHIRE

Ledez Loubrea
WITNESS

BY: [Signature]
THE CITY MANAGER

TOWN OF New Castle, N.H.

Janne L. Brannett
WITNESS
attest to all

BY: [Signature]
[Signature]
Douglas R. Ward



STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND WELFARE
DIVISION OF PUBLIC HEALTH SERVICES

Edgar J. Helms Jr.
Commissioner
Department of Health and Welfare

Maynard H. Mires, M.D., M.P.H.
Director
Division of Public Health Services

Health & Welfare Bldg.
Hazen Drive
Concord, NH 03301
Tel. (603) 271-4501

April 13, 1981

Mr. Kenneth W. Plaisted
Public Works Department
Code 440.2
Portsmouth Naval Shipyard
Portsmouth, NH 03801

Dear Mr. Plaisted:

In reference to your telephone conversation on March 23, 1981 with Mr. Thomas Roy from the Bureau of Solid Waste Management, you may dispose of Portsmouth Naval Shipyard's spent sandblast grit, spent fluorescent bulbs and cured epoxy paint at an approved sanitary landfill in New Hampshire, subject to the following conditions:

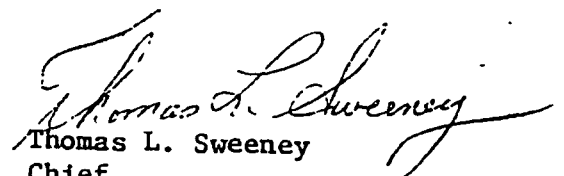
- 1) Quality control must be maintained so that all of the waste epoxy paint is indeed cured. There must be no mixing of cured epoxy paint streams with other paint.
- 2) Paint waste streams from mechanical and electrical equipment must be kept separate from the cured epoxy paint waste stream.

It is recommended that an EP toxicity test be performed on the epoxy paint as soon as possible and the analysis submitted to the Bureau.

Although this letter gives you permission to dispose of the waste in New Hampshire as outlined above, no sanitary landfill has to accept your waste.

If you have any further questions on this matter, contact Scott Eaton at 271-4623 or Thomas Roy at 271-4611.

Sincerely,


Thomas L. Sweeney
Chief
Bureau of Solid Waste Management

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SOLID WASTE MGT.

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